IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

MASS ENGINEERED DESIGN, INC.; and	§
JERRY MOSCOVITCH	§
	§
Plaintiff,	§ CAUSE NO. 2:09-cv-00358
	§
v.	\$ CAUSE NO. 2:09-cv-00358 \$ \$ \$
	§
9X MEDIA, INC.; PLANAR SYSTEMS, INC.;	§ JURY TRIAL DEMANDED
ATDEC PTY LTD; ERGOTECH GROUP, INC.;	§
HUMAN SCALE CORPORATION;	§
INNOVATIVE OFFICE PRODUCTS, INC.;	§
NAPLES TECHNOLOGY, INC.;	§
WORKRITE ERGONOMICS, INC.;	§
KNOLL, INC.; SPACECO BUSINESS	§
SOLUTIONS, INC.; PFG VENTURES, LP	§
d/b/a PROFORMA AMERICAN FILING	§
SOLUTIONS; CUSTOM PRODUCTS	§
AND SERVICES, INC.; E-FILLIATE, INC.	§
d/b/a ZIOTEK; PROGRESSIVE MARKETING	§
PRODUCTS, INC. d/b/a PREMIER MOUNTS;	§
AFC INDUSTRIES, INC.; ESI ERGONOMIC	§
SOLUTIONS, L.L.C.; MEDIA MOUNTS, INC.;	§
EIZO NANAO TECHNOLOGIES, INC.;	§
HERMAN MILLER, INC.;	§
WALL STREET TRADING DESKS, INC.;	§
SALLAS INDUSTRIAL COMPANY, LTD.;	§
GRAND STANDS, INC.; ERGONOMIC	§
ACCESSORIES INTERNATIONAL	§
CORPORATION; TARGUS, INC.;	§
K AND A MANUFACTURING, INC. d/b/a	§
RIGHT ANGLE PRODUCTS; ERGOTECT	§
CORPORATION d/b/a ERGOMART.COM;	§
VARTECH SYSTEMS, INC.;	§
WOODTRONICS, INC.;	§
SBFI NORTH AMERICA; and	§
SYNNEX CORPORATION	§

Defendants.

JOINT MOTION TO DISMISS DEFENDANT EIZO NANAO TECHNOLOGIES, INC.

Pursuant to Rule 41(a)(ii) of the Federal Rules of Civil Procedure, Plaintiff Mass Engineered Design, Inc. et al. ("MASS") and Eizo Nanao Technologies, Inc. ("Eizo") hereby move the Court for an Order dismissing all claims asserted by MASS against Defendant Eizo in this action WITH PREJUDICE, with each party to bear its own costs, expenses, and attorney fees.

DATED: May 3, 2010

Respectfully submitted,

/s/ Stephen F. Schlather

Edward W. Goldstein – Lead Attorney

Texas Bar No. 08099500

Stephen F. Schlather

Texas Bar No. 24007993

GOLDSTEIN, FAUCETT & PREBEG L.L.P

1177 West Loop South, Suite 400

Houston, Texas 77027

Telephone: (713) 877-1515

Facsimile: (713) 877-1737

E-mail: egoldstein@gfpiplaw.com sschlather@gfpiplaw.com

- - -

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on May 3, 2010. Any other counsel of record will be served by first class U.S. mail.

/s/Stephen F. Schlather
Stephen F. Schlather